

Felony ☒ JUDGE/  
Minor Offense ☐ MAGISTRATE  
Other Misdemeanor ☐

Assigned Trial  
8509  
Disp./Sentence  
1-27-76

U. S. vs. HUMPHRIES, GENE (44)  
On bond: 219 No. Hickory, Nowata, OK  
PH: 273-3348 74048 defendant

No. \*  
of 1  
Defendants

75-CR-162 1

## I. CHARGES

U. S. CODE SECTION  
26:7201  
\$7201 I.R.C.

OFFENSES  
Mail. false & fraud. inc. tax. ret.  
(5 yrs &/or \$10,000 as to ea. ct.)  
*2, 3, 4 & 6 to be discontinued*

COUNTS  
6

MAGR. CASE NO.

## BAIL • RELEASE

☐ Denied ☒ Personal Recog.  
☐ AMT ☐ Unsecured Bond  
☐ Conditional Release  
Set (000) \$1  
11-11-75  
10% Deposit  
Surety Bond  
Collateral  
Bail Not Made  
Bail Status  
3rd Party Custody  
PSA  
Changed (See Docket)

3-2-76 Humphries \$5,000.00 (Fine)  
3-4-76 C. D. #38 \$5,000.00

B. Hayden Crawford  
1st Nat'l Bldg  
Tulsa, Ok 74103

U.S. Attorney or Asst.

Kenneth P. Snoke, Ass't.

Defense: ☐ CJA ☒ Ret; ☐ Waived; ☐ Self; ☐ None; ☐ Other; ☐ PD; ☐ CD

W. E. "Bill" Maddux Stanley Sidicane  
Box 413  
114 E. Delaware St. Nashville TN 37202  
Nowata, Okla. 74048 PH: 273-2020

## ATTORNEYS

## II. KEY INTERVALS &amp; DATES

## ARREST

11-13-75  
U.S. Custody  
Began on Above  
Charges  
11-13-75

☐ High Risk  
Defn. &  
Date Design'd

## INDICTMENT

Information ☐  
11-11-75  
Waived ☐  
Superseding  
Indict/Info ☐

## ARRAIGNMENT

11-19-75  
1st Plea  
Final Plea  
1-7-76

Trial Set For  
1-12-76

☒ Not Guilty  
☐ Nolo  
☐ Guilty  
☐ Not Guilty  
☐ Nolo  
☒ Guilty

## TRIAL

Voir Dire ☐  
Trial Began ☐  
Trial Ended ☐

## SENTENCE

1-27-76

Disposition

☒ Convicted ☐ On All Charges  
☐ Acquitted ☒ On Lesser\*  
Offense(s)  
☐ Dismissed: ☐ WOP; ☐ WP\*  
☐ Nollo/Discontinued\*

## III. MAGISTRATE

| Search Warrant         | Issued | DATE | INITIAL/No. | INITIAL APPEARANCE  | INITIAL/No. | OUTCOME  |
|------------------------|--------|------|-------------|---|-------------|--|
|                        | Return |      |             | PRELIMINARY EXAMINATION OR REMOVAL HEARING  |             | <input type="checkbox"/> Dismissed<br><input type="checkbox"/> Held for District GJ<br><input type="checkbox"/> Held to Answer to U. S. District Court<br>AT:<br>Magistrate's Initials |
| Summons                | Issued |      |             | <input type="checkbox"/> Waived<br><input type="checkbox"/> Not Waived<br><input type="checkbox"/> Intervening Indictment |             |  |
|                        | Served |      |             |   |             |  |
| Arrest Warrant         |        |      |             | Tape No.  | INITIAL/No. |  |
| COMPLAINT              |        |      |             |   |             |  |
| OFFENSE (In Complaint) |        |      |             |   |             |  |

## IV. MAGISTRATE &amp; DISTRICT COURT DOCKET ENTRIES

\* Show last names and suffix numbers of other defendants on same indictment/information

-1975-  
DATE

## PROCEEDINGS

## V. Excludable Delay

(a) (b) (c) (d)

11-11-75 Record vote of Grand Jury concurring, filed in open court. v  
11-11-75 Indictment filed in open court. Bail set \$1,000 PR. v  
11-12-75 Warrant issued. v  
11-13-75 \$1,000 PR bond before CSB, Mag., fld. w/conditions. v  
11-14-75 MO: Case set for arraignment on 11-19-75, 10:00 A.M. (AEB-J)b  
11-17 Return on warrant for arrest, filed. Deft. arrested in Tulsa Okla. on 11-13-75. hm  
11-19-75 Deft's applic. for enlargement of travel restrictions so that he might travel anywhere in Ok., Ks., & Ark, filed. b  
11-19-75 Case called for arraignment. Deft. present & represented. Govt. represented. Deft. ack receipt of indict. & is arraigned. Deft. enters plea of NOT GUILTY to Cts. 1 thru 6. Deft. given 10 days to file motions & Govt. 5 days to respond. Case set for trial on 1-12-76, 9:30 A.M. Order, signed & filed in open court allowing Deft. to travel to Ok., Ks., & Ark., and to Ohio for Xmas. Deft. to stand on present bond. (AEB-J)b  
11-19-75 Order allowing Deft. to travel to Ok., Ks., & Ark., & Ohio for Xmas, filed. (AEB-J)b  
11-28-75 Deft's motion to inspect w/brief, filed. b cps to Dene & Ken  
12-1-75 MO: Case set for jury trial 1-12-76, 9:30 A.M. (AEB-J)b nts  
m1d

2 11-11-75 11-13-75 M 3

3 11-28-75 E

| DATE     | IV. PROCEEDINGS (continued)  | V. EXCLUDABLE DELAY |          |     |     |
|----------|--|---------------------|----------|-----|-----|
|          |  | (a)                 | (b)      | (c) | (d) |
| 12-4     | Response to mot. for discovery, fld. by PLtff. v   |                     |          |     |     |
| 12-4     | Brief in response to Deft.'s mot. for disc., fld. v  |                     |          |     |     |
| 12-10    | MO: It is ordered by the Court that Deft.'s mot. to disc., inspect & copy be & it is hereby transferred to Mag. Morris L. Bradford for hrg. & disposition pursuant to R. 14(e) of Local Rules. (AEB-J)v -ltr. mld. copy plays. to J.   |                     |          |     |     |
| 12-22-75 | Case set for hearing before Magistrate on Deft's motion to discover, inspect & copy on 12-30-75, at 1:30 P.M. (MLB-Mag)b nts mld   |                     |          |     |     |
| 12-29-75 | MO: Ordered that motion for discovery is stricken from hearing before Mag., since parties by agreement, announce that motion is moot. (AEB, per MLB)   | 3                   | 12-29-75 | E   | 32  |
| 12-30-75 | MO: Case set for change of plea on 1-7-76, at 9:30 A.M. (AEB-J)b nts mld   |                     |          |     |     |
| 1-7-76   | Case called for change of plea. Deft. present & represented. Govt. represented. Deft. placed under oath. Deft. w/draws plea of not guilty & enters plea of GUILTY as to Cts. 1 & 5 & is adjudged GUILTY as charged to Counts 1 & 5. Govt. requests dismissal of Cts. 2,3,4 & 6. Court. allows. Deft. waives jury; waiver signed & filed in open court. Indict. read. Sentence set for 1-27-76, at 10:00 A.M. (AEB-J)b        |                     |          |     |     |
| 1-13     | Return on Subpoena to Testify, filed. Served the following: LaDonna Coppedge, Zella Hogan, Howard Nichols by serving Vera Tresler, Linda Jo Brown by serving Henry Brown, Carolyn Louise Spears by serving P.B. Spears, Carleta Guy by serving Donald Guy and W.D. Sparks. v   |                     |          |     |     |
| 1-13     | Return on Subpoenae to Produce Document or Object, fld. v Served the following: Stephen A. Salorio, Charles Bundrick, Paul A. Hope, Clarence L. Mayberry, Joseph ?, Virginia Taylor, Marilyn Eckelmann, Gladys Hodges, Margie Montgomery, Gene Wisdom, Harold W. Radke by serving Mrs. Harold W. Harke, Harold L. Horton, Polly Suffridge, Leonard Rich, C. T. Beale, and James D. Moore. Unable to serve Anthony Schubla. v |                     |          |     |     |
| 1-13     | Return on Subpoenae to Produce Document or Object, fld. Served Kenneth White, Clint Walker in place of Beverly McSlarrow, Leon Wilbert Boaz, Webb Brown, Albert R. Hurley, Aaron Whitlock, Vera Glasco, George Driskill, Mrs. Marvin D. Pickering by serving Hallie E. Russell, Jim DeWees, Estey Weaver, John N. Schupbach, Paul D. Kolman, Mrs. Eddie Parnell, C.O. Stanley by serving Ethel Bohannan, and K.C. Love. v    |                     |          |     |     |
| 1-13     | Return on Subpoena to Produce or Object, fld. Served the following: Rebecca Daniel, Evelyn Painter, Glen D. Gray, Gwen J. Grumbein, Noble C. Howard, Lucy Gertz, Harold F. Carter, Dorthy Prince, John McLimans, Mike Campbell, Betty Montgomery, Jerry Ruark, (unable to serve Herman W. DeWitt), Bob Vandweer, Rbt. Haslett & Edward L. McQueen. v   |                     |          |     |     |

- LETTER CODES**  
For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)
- A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
  - B. NARA Examination (28 U.S.C. 2902).
  - C. State or Federal trials on other charges.
  - D. Interlocutory Appeals.
  - E. Hearings on pretrial motions.
  - F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).
  - G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h)(1)(G).
  - H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
  - I. Prosecution deferred by mutual agreement.
  - M. Unavailability of defendant or essential witness.
  - N. Period of mental or physical incompetence of defendant to stand trial.
  - O. Period of NARA Commitment or Treatment.
  - P. Superseding Indictment and/or new charges.
  - R. Defendant awaiting trial of Co-defendant when no severance has been granted.
  - T. Continuances Granted per 3161(h)(8) (i.e. ends of justice or complexity of case outweighs defendants' interests).
  - U. Time between guilty plea and plea withdrawal.
  - V. Time while moving prisoner from state institutions per transfer/detainer procedure.
  - W. Grand Jury indictment extended per 3161(b).
  - Y. Any delay excluded by court order for reason not included above.

D. C. 109A

## CRIMINAL DOCKET

| DATE    | PROCEEDINGS  |
|---------|--|
| 1976    |  |
| 1-16    | Subpoena to M. Richard Bradley, Custodian of Records, ret. & filed; served 12-11-75. g   |
| 1-23    | Subpoena to Jim Hart, Custodian of Records, SW Bell Tel. Co., ret. & filed: served 12-29-75. g   |
| 1-27-76 | Case called for sentencing. Deft. present & represented. Govt. represented. Deft. & co. asked if they have anything to say before sentence is pronounced.<br>Judgment & Sentence - Gene Humphries<br>Ct. 1 - Thirty-six mos., & on condition that deft. be confined to jail type instit. for period of one (1) month, the execution of remainder of sent. of imprisonment is hereby suspended & Deft. is placed on probation for period of thirty-five (35) mos. Condition of probation in Ct. 1 is that Deft. pay to IRS \$7,087.81 w/in 6 mos. Court recommends 1 mo. sent. be served in Rogers Co. Jail, Claremore, Ok.<br>Ct. 5 - Impos. of sent. suspended & Deft. is placed on probation for period of thirty-five (35) mos., to run concurrently w/Ct. 1 prob. Condition of probation is that Deft. pay fine of \$5,000 to Court Clerk in two (2) yrs. Sentence is deferred to Friday, Jan. 30, 1976, at 9:30 A.M. at which time Deft. is to report to USM. |
| 1-27-76 | Order for Dismissal of Cts. 2,3,4 & 6, signed & filed in open court.(AEB-J)b   |
| 1-27-76 | Order for Dismissal of Cts. 2,3,4,&6, filed.(AEB-J)b   |
| 1-27-76 | Judgment & Commitment, filed & entered.(AEB-J)b  |
| 1-27-76 | Two c/c of J&C to USM. b   |
| 1-27-76 | Two c/c of J&C to probation office. b  |
| 1-27-76 | MO: It is ordered by the Court, upon recommendation of Deft. co. Mr. Crawford, that Deft. is allowed to go to Wynne, Ark. & report to USM as ordered in open Court(AEB-J)b   |
| 1-30-76 | Motion for reduction of sentence, filed. t cpy to Dene.  |
| 2-9-76  | Opposition to Mtn. of Deft. Humphries for Reduction of Sentence, filed. jj   |
| 2-10    | Response to opposition to motion of deft. Gene Humphries for reduction of sentence, filed. ph <i>copy to Dene</i>  |
| 2-20    | Order, filed, that Deft.'s Mot. for Modification of Sentence is overruled. (AEB-J)v -cps ml  |

DATE

PROCEEDINGS